

### AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A system for treating bone fractures comprising:
  - a delivery catheter;
  - an expandable device for occupying space within bones, releasably carried by the delivery catheter; and
  - a means of expanding the device configured for removal from the bone upon expansion of the expandable device;
  - whereby the expanded device mechanically is configured to fixate the fracture ~~once after~~ the delivery catheter and the means of expanding the device are removed from the bone.
2. (Previously Presented) The system of claim 1 wherein the means of expanding the device is an inflatable catheter configured for removal from the bone after expanding the expandable device.
3. (Withdrawn) The device system of claim 1 wherein the means of expanding the device is an axially compressed elastomeric grommet which expands radially when compressed
4. (Withdrawn) The device system of claim 1 wherein the means of expanding the device is the inherent spring force contained within the structure of the expandable device
5. (Withdrawn) The device system of claim 1 wherein the means of expansion is self-contained within the expandable device
6. (Withdrawn) The device system of claim 5, wherein the means of expansion is a relative movement of the opposing ends of the device
7. (Withdrawn) The device system of claim 1, wherein the expanded device is substantially tubular
8. (Withdrawn) The device system of claim 1, wherein the expanded device has a substantially cylindrical cross-section
9. (Previously Presented) The system of claim 1, wherein the expanded device joins separated bone segments.
10. (Previously Presented) A method for treating bone fractures comprising:
  - providing an expandable device for occupying space within a bone segment;
  - creating an access hole in bone;

disposing the expandable device upon a delivery device, the delivery device comprising a balloon;

inserting the expandable device through the access hole within the bone segment;

advancing the expandable device to a desired location within the bone segment;

inflating the balloon in order to cause expansion of the expandable device;

removing the balloon from the bone; and

hardening a substance within the bone segment after the removing the balloon step.

11. (Withdrawn) A method of claim 10, to further include deactivating the delivery device and removing from the bone segment

12. (Cancelled)

13. (Cancelled)

14. (Withdrawn) A method of claim 10, wherein the expandable devices are generally tubular in structure and plastically deformed in order to maintain expanded diameter

15. (Withdrawn) A method of claim 10, wherein the expandable devices are generally tubular in structure and are mechanically deformed

16. (**Currently Amended**) A system for treating bones comprising;

an expandable tubular device,

a delivery device comprising a balloon;

said expandable tubular device removably attached to the balloon; whereby the balloon expands the tubular device at the treatment site, whereby the balloon is configured to be removed after leaving the expanded tubular device in place to span bone segments.

17. (Previously Presented) The system as in claim 16 wherein said expandable tubular device comprises a tubular mesh.

18. (Withdrawn) The device as in claim 16 wherein said device has multiple splines.

19. (Withdrawn) The device as in claim 16 wherein said device is a coil.

20. (Withdrawn) The device as in claim 16 wherein said device is a slotted tube.

21. (Withdrawn) The device as in claim 16 wherein electrical energy is delivered

22. (Withdrawn) The device as in claim 16 wherein the device has a coating

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23. (Withdrawn) A device for treating fractured bones comprising;  
a self-expandable tubular device;  
a delivery device;  
tubular device within the delivery device;  
said device combination advanced to desired location;  
said tubular device released from delivery device at desired location; whereby the tubular device expands at treatment site, whereby the expanded tubular device joins and fixates bone fracture.
24. (Withdrawn) A device as in claim 23, wherein the stress applied to the bone from the radially expanded device enhances healing of the fracture.
25. (Currently Amended) A method of claim 10 wherein the advancing the expandable device spans a bone fracture.
26. (Currently Amended) A method of claim 1025 wherein the advancing the bone fracture comprises a compound fracture.
27. (New) A method of claim 25 wherein the bone fracture comprises a compression fracture.